IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUIT NO.247 OF 1985

Central Bank of India ....Plffs.
vs.
Vaid Engineering and Steel
Works P.Ltd and Ors. .....Defnds.

Mrs. S.R. Surve i/b. Little and Co. for the plffs.
H.V. Chande for defendant no.4.

CORAM: S.U. KAMDAR, J.

DATE : 3RD AUGUST, 2005.

P.C. :

1. The present suit is filed as summary suit and a decree was passed as against defendant nos.1, 2 and 3 on 23.12.85. In so far as the fourth defendant is concerned by the said order dated 23.12.85 the defendant no.4 was given a time to deposit Rs.2,00,000/- by the next date i.e. 24.12.85. and in an event of failure on the part of the defendant to deposit the order provided for a decree against the defendant no.4 also in terms of prayer clause (b) and (c). Learned counsel for the plaintiff has produced the non-deposit certificate issued by this

court on 4.3.87 stating that the defendant no.4 has not deposited the aforesaid amount. In view thereof the decree passed by an order dated 23.12.85 against the 4th defendant will become operative. Suit is accordingly disposed off in terms of prayer clause (b) and (c) in terms of the decree dated 23.12.85 as against the defendant no.4.

sd/-

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